

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TIMOTHY DAVIS, #2922-09
a/k/a Timothy Lamont Davis,

Plaintiff,

v.

ELLIS COUNTY COURT #2, et al.,
DEPARTMENT,

Defendants.

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No. **3:09-CV-2465-L**


ORDER

Before the court are the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed January 19, 2010. Plaintiff did not file objections.

On January 4, 2010, the court granted Plaintiff's application to proceed *in forma pauperis*, and sent him a questionnaire regarding his claims. The questionnaire was returned to the court as undeliverable on January 13, 2010. The magistrate judge recommends dismissing Plaintiff's complaint without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because of his failure to inform the court of his change of address and for want of prosecution. The complaint form used by Plaintiff clearly states his responsibility to inform the court of any change of address.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses without prejudice** Plaintiff's complaint pursuant to Rule 41(b) for want of prosecution.

It is so ordered this 5th day of February, 2010.


Sam A. Lindsay
United States District Judge